

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

FEDEX CUSTOMER INFORMATION
SERVICES, INC.,

Plaintiff,

v.

7:07-cv-875

LESLEE SPORTS, INC., and
TRI-REGENCY WAREHOUSE PROPERTIES, INC.

Defendants.

LESLEE SPORTS, INC., and
TRI-REGENCY WAREHOUSE PROPERTIES, INC.,

Third-Party Plaintiffs,

v.

MICHAEL SILBERBERG, and ROBERT
JUSKOVIC a/k/a ROBERT JUSKO d/b/a
WORLD CLOSEOUTS AND SURPLUS,

Third-Party Defendants.

ROBERT JUSKOVIC a/k/a ROBERT JUSKO d/b/a
WORLD CLOSEOUTS AND SURPLUS,

Fourth-Party Plaintiffs,

v.

YEHUDA GOLDMAN, a/k/a KEVIN GOLDMAN, et al,

Fourth-Party Defendant.

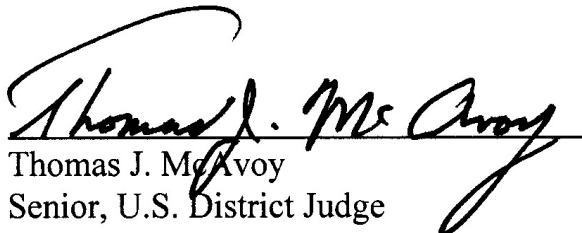
THOMAS J. McAVOY
Senior United States District Judge

DECISION and ORDER

On May 25, 2010, the Court issued a Notice indicating that it appeared that service of the fourth-party complaint had not been effectuated and that the action had not been diligently prosecuted against Fourth-Party Defendant Yehuda Goldman. Pursuant to Fed. R. Civ. P. 4(m) and Local Rule 41.2, Fourth-Party Plaintiffs Michael Silberberg and Robert Juskovich were directed to show cause why the matter should not be dismissed against Yehuda Goldman. There being no response to the Court's notice and no indication that service has been effectuated or this matter otherwise diligently prosecuted against the Fourth-Party Defendant, the Fourth-Party Complaint against Defendant Yehuda Goldman is DISMISSED.

IT IS SO ORDERED.

Dated: July 12, 2010


Thomas J. McAvoy
Senior, U.S. District Judge